

JASON C. FRITTON, MAREA GIBSON,
BRIAN W. MOTZENBEEKER, DAWN DUFF,
and CHRISTOPHER SHEARMAN, individually
and on behalf of all others similarly situated,

Plaintiffs,

v.

TAYLOR CORPORATION, the BOARD OF
DIRECTORS OF TAYLOR CORPORATION,
the FIDUCIARY INVESTMENT COMMITTEE,
and JOHN DOES 1-30,

Defendants.

Defendants Taylor Corporation, the Board of Directors of Taylor Corporation, and the Fiduciary Investment Committee (collectively, “Defendants”) and Plaintiffs Jason C. Fritton, Marea Gibson, Brian Motzenbecker, Dawn Duff, and Christopher Shearman (collectively, “Plaintiffs”) hereby notify the Court that the Parties have reached an agreement in principle to resolve this matter on a class-wide basis. The Parties respectfully request that the Court stay all remaining deadlines in the Court’s Scheduling Order (ECF No. 71), to provide the Parties sufficient time to finalize settlement paperwork and for Plaintiffs to move for preliminary approval of the settlement. In support of this motion, the Parties represent as follows:

1

institutional share classes,” and (2) a derivative monitoring claim against Taylor and the Board. (ECF No. 66.)

2. Thereafter, the Court entered a Scheduling Order that ordered the Parties to participate in a mediation with Robert A. Meyer by late January or February 2024. (*See* ECF No. 71 at 5.)

3. The Parties participated in a mediation with Mr. Meyer on Tuesday, January 30, 2024.

4. The Parties did not reach an agreement during the mediation but continued settlement discussions with Mr. Meyer’s assistance throughout February 2024.

5. On February 28, 2024, the Parties reached an agreement in principle to resolve Plaintiffs’ claims and those of the Class identified in Plaintiffs’ Amended Complaint. (*See* ECF No. 50, ¶ 38.)

6. The Parties are presently working to finalize a written settlement agreement, and Plaintiffs are preparing a motion for preliminary approval of the settlement. The Parties anticipate that they can complete this process by April 5, 2024.

Accordingly, the Parties represent that good cause exists to stay all remaining deadlines in this case, including the Court’s March 1, 2024 deadline to submit confidential settlement position papers. (*See* ECF No. 71 at 5.) The Parties also respectfully request that the Court allow Plaintiffs until April 5, 2024, to move for preliminary approval of the settlement pursuant to Fed. R. Civ. P. 23.

Dated: February 29, 2024

/s/ Eric Lechtzin (with permission)

GUSTAFSON GLUEK PLLC

Daniel E. Gustafson (#202241)
Daniel C. Hedlund (#258337)
David A. Goodwin (#0386715)
Tony J. Stauber (#0401093)
120 South Sixth Street
Suite 2600 Minneapolis, MN 55402
Telephone: 612-333-8844
dgustafson@gustafsongluek.com
dhedlund@gustafsongluek.com
dgoodwin@gustafsongluek.com
tstauber@gustafsongluek.com

EDELSON LECHTZIN LLP

Eric Lechtzin, Esquire (*pro hac vice*)
Marc H. Edelson, Esquire (*pro hac vice*)
411 S. State Street, Suite N-300
Newtown, PA 18940
Telephone: (215) 867-2399
elechtzin@edelson-law.com
medelson@edelson-law.com

CAPOZZI ADLER, P.C.

Mark K. Gyandoh, Esquire (*pro hac vice*)
312 Old Lancaster Road
Merion Station, PA 19066
Telephone: (610) 890-0200
markg@capozziadler.com

Donald R. Reavey, Esquire (*pro hac vice*)
2933 North Front Street
Harrisburg, PA 17110
Telephone: (717) 233-4101
donr@capozziadler.com

Attorneys for Plaintiffs and the Putative Class

SAUL EWING LLP

/s/ Steven C. Kerbaugh

Steven C. Kerbaugh (MN #0390429)
33 South Sixth Street, Suite 4750
Minneapolis, MN 55402
Telephone: (612) 225-2946
Facsimile: (612) 677-3844
Steven.kerbaugh@saul.com

ALSTON & BIRD LLP

Emily S. Costin (*pro hac vice*)
D.C. Bar No. 500201
The Atlantic Building
950 F Street, NW
Washington, DC 20004-1404
Tel: (202) 239-3300
Fax: (202) 239-3333
emily.costin@alston.com

R. Blake Crohan (*pro hac vice*)
GA Bar No. 512642
One Atlantic Center
1201 West Peachtree Street
Atlanta, GA 30309-3424
Tel: (404) 881-7000
Fax: (404) 881-7777
blake.crohan@alston.com

Margaret E. Saathoff (*pro hac vice*)
GA Bar No. 356265
2200 Ross Avenue, Suite 2300
Dallas, TX 75201
Tel: (214) 922-3460
Fax: (214) 922-3899
ellie.saathoff@alston.com

*Attorneys for Defendants Taylor Corporation,
Board of Directors of Taylor Corporation and
Fiduciary Investment Committee*